



EXPRESS MAIL NO. EV336597075US

PTO/SB/30 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL****Address to:**  
**Mail Stop RCE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Application Number	09/853.833
Filing Date	May 10, 2001
First Named Inventor	Salvatore Leonard
Group Art Unit	2826
Examiner Name	Leonardo Andujar
Attorney Docket Number	856063.694

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.1. Submission required under 37 C.F.R. § 1.114a. ☒ Previously submittedi. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on May 2, 2003

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_iii. ☐ Other \_\_\_\_\_

## b. Enclosed

i. ☐ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☒ Other Petition for an Extension of Time Under 37 C.F.R. 1.136(a)2. Miscellaneousa. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other \_\_\_\_\_3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No 19-1090.i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☐ Other \_\_\_\_\_b. ☒ Check in the amount of \$ 1,570.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)RECEIVED  
JUL 10 2003  
1500-10-1000-2000**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	E. Russell Tarleton	Registration No. (Attorney/Agent)	31,800
Signature	<i>E. Russell Tarleton</i>	Date	July 2, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner For Patents, Mail Stop RCE, P.O. Box 1450 Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on \_\_\_\_\_

Name (Print/Type)	***SENT VIA EXPRESS MAIL***		
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450. C:\N:\Portfile\Manage\ATHE\NAP\3916\11.DOC



EXPRESS MAIL NO. EV336597075US

PTO/SB/17 (01-03)  
Approved for use through 04/30/2003 OMB 0651-0032**FEE TRANSMITTAL  
for FY 2003**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT (\$)** 1,570

Complete if Known

Application Number	09/853,833
Filing Date	May 10, 2001
First Named Inventor	Salvatore Leonardi
Examiner Name	Leonardo Andujar
Group Art Unit	2826
Attorney Docket No	856063.694

**METHOD OF PAYMENT**

☒ Payment Enclosed  
☒ Check ☐ Credit card ☐ Money Order ☐ Other  
☐ Deposit Account  
Deposit Account Number: 19-1090  
Deposit Account Name: Seed Intellectual Property Law Group PLLC

The Commissioner is authorized to (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any deficiencies to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims			
Independent Claims			
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$) 0				



\*\*For number previously paid, if greater. For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2520	2812	2520	For filing a request for ex parte reexamination	
1804	920*	2804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	2805	1840*	Requesting publication of SIR after Examiner action	
125*	110	225*	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1450	2254	725	Extension for reply within fourth month	
1255	1970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
145*	1510	245*	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1300	2453	650	Petition to revive - unintentional	
150*	1300	250*	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee for provisional applications	
1806	160	2806	160	Submission of Information Disclosure Stmt	
8021	40	28021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	750
1802	900	2802	900	Request for expedited examination of a design application	
Other fee (specify) Extension of Time (3 month - 1 month)					820

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,570

<b>SUBMITTED BY</b>		 <b>00500</b> PATENT TRADEMARK OFFICE		
Name (Print/Type)	E. Russell Tarleton		Registration No Attorney/Agent	31,800
Firm Name/ Address				
Signature		Date	July 2, 2003	